

## REMARKS

Claims 1-7, 9-16, and 18 are currently pending in the above-identified patent application. Claims 4, 6, 7, 13, 15, and 16 have been canceled, and claims 1, 9, 10, and 18 have been amended. No new matter has been added by these changes, since the amendments to claims 1 and 9 derive from canceled claims 6 and 7 as amended in Amendment B dated June 25, 2007, and from page 4, lines 16-20 of the subject Specification, as originally filed, and the amendments to claims 10 and 18 derive from claims 15 and 16 as amended in Amendment B dated June 25, 2007, and from page 4, lines 16-20 of the subject Specification, as originally filed.

On November 19, 2007 applicants' attorney Samuel M. Freund engaged in a Telephonic Interview with the Examiner to clarify the applicability of the Taguchi et al. reference, and how power to a non-volatile memory disposed in the computer of Taguchi et al. would receive power once the computer is powered down. After discussing the Taguchi et al., Daniels and Zaudtke et al. references with the Examiner and their relationship to the present claimed invention, no agreement was reached concerning allowable subject matter.

In the subject Office Action, made final, the Examiner rejected claims 1-7, and 9 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention since referring to claim 1 and subsequently claims 2-7, 9, the Examiner stated that applicants have claimed "a power supply for providing electrical energy to the components thereof", and it is not clear what "the components thereof" is referring to. The Examiner continued that from applicants' arguments it is evident that applicants are attempting to refer to "the components" that comprise at least the non-volatile memory of the disk array module.

In response thereto, applicants have amended claims 1 and 10 to delete reference to the power supply directly powering other elements than those on the portable disk locator since the portable disk locator reads the EEPROM and

powers the indicator devices. See page 4, lines 2-15 of the subject Specification, as originally filed.

Claims 1, 4, 6, 7, 10, 13, 15, 16, were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,305,013 to Daniels in view of U.S. Patent No. 6,654,816 to Zaudtke et al. (herein Z) and "Auxiliary charging device for portable telephone set" by Taguchi et al., since the Examiner stated that referring to claims 1 and 10, Daniels discloses an apparatus for locating a failed disk drive in a plurality of disk drives on a removable disk array module having a backplane connector, comprising in combination; a host controller disposed on said disk array module for identifying a failed disk drive and for determining the location thereof on said disk array module. The Examiner continued that although Daniels does not disclose a non-volatile memory device disposed on said disk array module for receiving the location of the failed disk drive from said host controller, and for recording same; and a portable disk locator adapted for communication with said non-volatile memory device, and for causing the location of the failed disk drive to be displayed, storing failure information for display on portable diagnostics is known in the art. The Examiner then concluded that a person of ordinary skill in the art at the time of the invention would have been motivated to use a handheld device and non-volatile memory because, as disclosed by Zaudtke, "so that these devices are operational when the computer is powered down", and from the abstract, "The handheld device effectively replaces external LCD health status hardware that typically consumes valuable space on the front bezel of the computer. The handheld device may further replace traditional input/output (I/O) devices, such as a keyboard, a mouse, a monitor a disk drive, etc. For example, the handheld device maybe utilized to monitor and control boot up operations of the computer, such as displaying boot up information or otherwise executing setup or diagnostic routines." Further, the Examiner asserted that Daniels discloses just such a situation described by Zaudtke, from the abstract, "A graphical display icon on the front of a data storage unit provides status information on disk drives within the unit. The icon has a shape identical to that of the unit and includes a number

of bicolor LED's which each correspond to a similarly situated disk drive located in the unit. The color emitted by the LED's communicate information on the status of the corresponding disk drive within the unit."

Applicants respectfully disagree with the Examiner concerning the rejection of claims 1, 4, 6, 7, 10, 13, 15, 16, were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,305,013 to Daniels in view of U.S. Patent No. 6,654,816 to Zaudtke et al. and "Auxiliary charging device for portable telephone set" by Taguchi et al., since claims 1 and 10 as amended recite a plurality of indicator devices, at least one indicator device of said plurality of indicator devices being disposed on the midplane near each of said disk drives, wherein the location of a failed disk drive is displayed by activation of said indicator device corresponding to that disk drive. As stated by the Examiner, Daniels teaches: "A graphical display icon on the front of a data storage unit provides status information on disk drives within the unit." Moreover, the Examiner asserted that Daniels in view of Zaudtke et al. discloses said disk array module comprises a plurality of indicator devices adapted to be activated by said portable disk locator, at least one indicator device of said plurality of indicator devices being disposed in the vicinity of each of said disk drives, and cites FIG. 1 of Zaudtke et al., wherein the handheld device is "in the vicinity". As understood by applicants, Zaudtke et al. teaches a single handheld device which is not mounted on the backplane of the disk array module, nor intended to be near any of the disks in the disk array module. Therefore, applicants disagree with the Examiner that the combination of Daniels and Zaudtke et al. renders obvious the above recitation of claims 1 and 10, as amended.

Further, the combination of Daniels and Zaudtke et al. does not render obvious that the location of a failed disk drive is displayed by activation of the indicator device corresponding to that disk drive. Zaudtke teaches the transfer of information from a computer to a handheld device and vice versa.

In Col. 1, lines 48-58 of Daniels it is stated that: "The present invention comprises a graphical display or icon situated on the front of a computer system or data storage unit having a plurality of disk drives. The shape of the icon

resembles an outline of the unit and includes bicolor light emitting diodes (LED's) at locations corresponding to disk drive locations inside the unit. Each of the LED's have a one-to-one correspondence with the respective disk drive situated in the corresponding location inside the unit, and the bicolor LED's emit certain colors which reflect the current status of their corresponding disk drives." Column 3, lines 40-42 of Daniels states: "The operator simply looks at the icon for an active or error indication and the indicated drive is in that same relative position in the unit." Clearly, Daniels teaches that the data storage unit is on-line when the LED's are removed. Thus, Daniels teaches away from the recitations of subject claims 1 and 10 which recite that the module is in an off-line condition.

Additionally, in the Abstract of Zaudtke et al. it is stated that "...The handheld device effectively replaces external LCD health status hardware that typically consumes valuable space on the front bezel of the computer. . . ." Therefore, applicants believe that there would be no motivation to combine the teachings of Zaudtke et al. with those of Daniels, and that the Examiner has failed to make a proper *prima facie* case for obviousness as is required for a rejection under 35 U.S.C. 103(a).

Claims 2 and 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over US 5305013 to Daniels in view of Zaudtke et al. and Taguchi as applied to claim 1, 10 above, and further in view of U.S. Patent No. 5,367,647 to Coulson et al.; claims 3, 9, 12, and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels in view of Zaudtke et al. and Taguchi as applied to claims 1, 7, 15 above, and further in view of U.S. Patent No. 5,864,659 to Kini; and claims 5 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels in view of Zaudtke et al. and Taguchi as applied to claims 4, 7, 13, and 16 above. Since applicants respectfully believe that the Examiner has improperly combined Daniels and Zaudtke et al. for the reasons set forth hereinabove, applicants believe that these grounds of rejection are likewise improper.

The Examiner made certain prior art made of record as being considered pertinent to applicants' disclosure, but has neither relied upon these references

nor applied them to the subject claims. Therefore, applicants believe that no further response is required relative to these documents.

For the reasons set forth hereinabove, applicants respectfully believe that claims 1-3, 5, 9-12, 14, and 18, as amended, are in condition for allowance or appeal, the former action by the Examiner at an early date being earnestly solicited.

Reexamination and reconsideration are respectfully requested.

Respectfully submitted,

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